

REMARKS

Claims 29-44 are now pending in the application. Support for the claim amendments and new claims can be found throughout the application as originally filed. As such, no new matter is being added. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 29-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Machon (U.S. Pat. No. 4,515,398). This rejection is respectfully traversed.

Machon appears to disclose a cylindrical pipe section 36 with a radially extending flange 32 terminating in a downward lip 34. A gasket 42 lies between the bottom of the flange 32 and a floor flange 15. Machon fails to teach or suggest a slip tube configured for unobstructed vertical adjustment of the seal member, as currently amended claim 29 recites. On the contrary, in Machon the radially extending flange 32 with the downward lip 34 obstructs the vertical adjustment of the gasket 42 relative to the pipe section 36. Therefore, claim 29, and consequently claims 30-36 that depend from claim 29, are not anticipated by Machon. Reconsideration and withdrawal of the rejections of claims 29-36 as being anticipated by Machon is respectfully requested.

Claims 29-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sisk (U.S. Pat. No. 1,878,195). This rejection is respectfully traversed.

Paragraph 4 of the Office Action provides that Sisk discloses "an annular flange member (at the upper end of member 12) for sealing arrangement with the discharge pipe". Sisk fails to teach or suggest a discrete annular flange member that extends outwardly from and over the discharge pipe, as amended claim 29 recites. Therefore, claim 29, and consequently claims 30-36 that depend from claim 29, are not anticipated by Sisk. Reconsideration and withdrawal of these rejections of claims 29-36 as being anticipated by Sisk is respectfully requested.

New Claims

Applicant's have added new claims 37-45. Independent claim 37 recites a circular seal member for maintaining a seal between the annular flange member and the slip tube throughout a range of telescopic adjustment. This limitation is not taught nor suggested by the art of record. Further, the claimed invention would not have been obvious in view of the collective art of record.

Additional limitations even further defining the subject invention over the art of record are provided in independent claims 38-45.

Accordingly, Applicants submit that claim 37 and claims 38-45 dependent therefrom are in a condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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